

**AGENDA**  
**APRIL 3, 2012 - 6:00 P.M.**  
**MEETING OF THE BOARD OF TRUSTEES**  
**OF THE INCORPORATED VILLAGE OF NORTHPORT**  
**ANNUAL ORGANIZATIONAL MEETING**

**OPEN MEETING:**

**SALUTE TO THE FLAG:**

**ANNOUNCEMENTS:**

**PRESENTATIONS:**

**PUBLIC HEARINGS:**

**PUBLIC PARTICIPATION:**

**BOARD APPROVAL OF WARRANT:**

Fiscal Year 2011/2012 General Fund bills in the amount of \$ 5,466.75  
Fiscal Year 2012/2013 General Fund bills in the amount of \$20,356.08  
Fiscal Year 2011/2012 Sewer Fund bills in the amount of \$ 891.18  
Fiscal Year 2012/2013 Sewer Fund bills in the amount of \$ 13,077.10

**TREASURER REPORT:**

**COMMISSIONER REPORTS:**

**CHIEF OF POLICE REPORT:**

**ADMINISTRATOR'S REPORT:**

**NEW BUSINESS:**

**OLD BUSINESS:**

**CORRESPONDENCE:**

**REQUESTS:**

**RESOLUTIONS:**

**RESOLUTION 2012- 32 ~ APPROVAL OF THE MARCH 21, 2012 MINUTES**

**WHEREAS:** Copies of the minutes of the March 21, 2012, meeting were sent to the Board for approval, therefore,

**BE IT RESOLVED** that said minutes are approved without reading, at this time.

**RESOLUTION 2012- 33~ APPOINTMENT OF DEPUTY MAYOR**

**BE IT RESOLVED:** That Henry Tobin is hereby appointed Deputy Mayor.

**RESOLUTION 2011- 34~ COMMISSIONER APPOINTMENTS**

**BE IT RESOLVED:** That the Board of Trustees hereby approves the following designations of Commissioners as appointed by the Mayor:

Commissioner of Commerce – Trustee Kehoe  
Commissioner of Finance – Trustee Tobin  
Commissioner of Infrastructure – Trustee Tobin  
Commissioner of Information Technology ~ Trustee Maline  
Commissioner of Public Works and Highways – Mayor Doll  
Commissioner of Parks & Waterways - Trustee McMullen  
Commissioner of Personnel – Trustee Maline  
Commissioner of Police – Trustee Kehoe  
Commissioner of Sanitation –Trustee Kehoe  
Commissioner of Athletic Activities ~ Trustee Maline  
Commissioner of Planning and Development ~ Trustee Maline  
Commissioner of Waste Water Treatment ~ Trustee McMullen

**RESOLUTION 2011 – 35 ~ SEXUAL HARASSMENT COMMITTEE**

**BE IT RESOLVED:** That the Board of Trustees hereby approves the appointment of the following individuals to the Village's Sexual Harassment Committee:

1. Mayor Doll
2. Trustee Maline

## **RESOLUTION 2011 - 36~ APPOINTMENT OF VILLAGE ATTORNEY**

**BE IT RESOLVED**, that the Law Firm of James F. Matthews is hereby appointed General Legal Counsel to the Village for a term to begin on March 1, 2012 and end on February 28, 2013, unless sooner terminated by written notice at the direction of the Mayor, at the monthly rate of \$7,500, together with reimbursement of all out of pocket expenses incurred on behalf of the Village and that James F. Matthews, is hereby designated as Village Attorney for said term. Mr. Matthews is also designated and shall act as counsel to the Board of Zoning Appeals and the Board of Architectural and Historic Review and is hereby authorized to prosecute violations of the Village Code and local laws in Village Justice Court. Mr. Matthews agrees that the retainer shall include all services on behalf of the Village excepting only litigated matters where the Law Offices of James F. Matthews appears as the attorney of record and for such matters he shall be compensated at a rate of one hundred fifty dollars (\$150) per hour, all pursuant to a retainer agreement to be executed by the Mayor and filed with the Village Clerk. Mr. Matthews shall not be entitled to such additional hourly compensation for work performed as Assistant Village Attorney relating to court appearances in Village Justice Court, and shall be paid the flat rate of \$500 for each court appearance, with no further compensation for such court appearance and provided that only one Assistant Village Attorney may be compensated for each court appearance in Village Justice Court.

## **RESOLUTION 2011 - 37~ APPOINTMENT OF ASSISTANT VILLAGE ATTORNEY**

**BE IT RESOLVED:** That the firm of Gathman & Bennett is hereby appointed as legal counsel to the Village for a term to begin on March 1, 2012 and end on February 28, 2013, unless sooner terminated by written notice at the direction of the Mayor, at a rate of \$833.33 per month together with the reimbursement of all out of pocket expenses incurred on behalf of the Village and that J. Edward Gathman, a partner of said firm, is hereby designated as Assistant Village Attorney. As Assistant Village Attorney, Gathman & Bennett shall act as (i) counsel to the Planning Board; and (ii) is hereby authorized to prosecute violations of the Village Code and local laws in Village Justice Court. Gathman & Bennett shall, except as otherwise set forth herein, be additionally compensated for litigation matters or other proceedings where such firm becomes the attorney of record, and other matters, as designated by the Mayor or the Village Attorney, all at a rate of one hundred fifty dollars (\$150) per hour, pursuant to a retainer agreement to be executed by the Mayor and filed with the Village Clerk; provided however, that notwithstanding anything to the contrary contained herein, Gathman & Bennett shall not be entitled to such additional hourly compensation for work performed as Assistant Village Attorney relating to court appearances in Village Justice Court, and shall be paid the flat rate of \$500 for each court appearance, with no further compensation for such court appearance and provided that only one Assistant Village Attorney may be compensated for each court appearance in Village Justice Court.

## **RESOLUTION 2011 - 38~ APPOINTMENT OF ASSISTANT VILLAGE ATTORNEY**

**BE IT RESOLVED:** That Karen Kerr, Esq. is hereby appointed as Special Assistant Village Attorney for a term to begin on March 1, 2012 and end on February 28, 2013, unless sooner terminated by written notice at the direction of the Mayor or Board of Trustees and is hereby authorized to prosecute violations of the Village Code and local laws in Village Justice Court. Karen Kerr shall be compensated for such matters as may be designated by the Mayor or the Village Attorney, all at a rate of one hundred fifty dollars (\$150) per hour, pursuant to a retainer agreement to be executed by the Mayor and filed with the Village Clerk; provided however, that notwithstanding anything to the contrary contained herein, Karen Kerr shall not be entitled to such additional hourly compensation for work performed as Special Assistant Village Attorney relating to court appearances in Village Justice Court, and shall be paid the flat rate of \$500 for each court appearance, with no further compensation for such court appearance and provided that only one Assistant Village Attorney may be compensated for each court appearance in Village Justice Court.

## **RESOLUTION 2011 - 39~ APPOINTMENT OF SPECIAL VILLAGE ATTORNEY**

**BE IT RESOLVED:** That Roger Ramme, Esq. is hereby appointed as Special Assistant Village Attorney for a term to begin on March 1, 2012 and end on February 28, 2013, unless sooner terminated by written notice at the direction of the Mayor for the purpose of representing the Village in tax certiorari proceedings pending in the Supreme Court, Suffolk County for the monthly retainer of \$1,000.

## **RESOLUTION 2011- 40 ~ APPOINTMENTS**

**BE IT RESOLVED:** The following appointments proposed by the Mayor are hereby approved pursuant to the Village Law:

Village Clerk - Donna Koch	2 year
Deputy Village Clerk – Catherine Romanczyk	1 year
Deputy Village Treasurer – Laura Kaplan	1 year
Acting Village Justice - Ralph Crafa	1 year
Secretary to the Planning Board - Joy Nygren	1 year
Secretary to the Zoning Board - Catherine Romanczyk	1 year

Secretary to the Board of Architectural and Historic Review	Catherine Romanczyk	1 year
Secretary to the Board of Fire Commissioners	Janet Price	1 year
Village Assessor -	Roger Ramme	1 year
Senior Harbormaster-	Anthony Graziano	1 year
Harbormaster -	Nick Volpe	1 year
Harbormaster –	Russell Bostock	1 year
Fire Marshall -	John McKenna	1 year
Assistant Fire Marshall -	Joseph Pansini	1 year
Village Historian -	Fred Black	1 year

#### **RESOLUTION 2011 - 41 ~ ADDITIONAL APPOINTMENTS**

**BE IT RESOLVED:** The following appointment proposed by Deputy Mayor Tobin hereby approved pursuant to the Village Law:

##### **Board of Fire Commissioners (3 year term)**

1. Phil Weber (Term to expire 2015)
2. Jim Hall (Term to expire 2015)
- 3.

#### **RESOLUTION 2011 - 42 ~ ADDITIONAL APPOINTMENTS**

**BE IT RESOLVED:** The following appointments proposed by the Mayor are hereby approved pursuant to the Village Law:

##### **Planning Board (5 year term)**

1. Rich Boziwick (Term to expire in 2017)

##### **Board of Zoning Appeals (5 year term)**

1. Roger Ramme (Term to expire 2017)

#### **BOARD OF ARCHITECHURAL AND HISTORIC REVIEW**

1. Jim Thomas (Term to expire 2015)

**2. Steve Keller ( Term to expire 2015)**

**RESOLUTION 2011 - 43 ~ CHAIRMAN APPOINTMENTS**

**BE IT RESOLVED:** The following appointment proposed by Deputy Mayor Tobin is hereby approved pursuant to the Village Law:

Chairman, Board of Fire Commissioners - Phillip Weber	1 year
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**RESOLUTION 2011 -44 ~ CHAIRMAN APPOINTMENTS**

**BE IT RESOLVED:** The following appointments proposed by the Mayor are hereby approved pursuant to the Village Law:

Chairman, Planning Board - Richard Boziwick	1 year
Chairman, Board of Zoning Appeals -Andrew Cangemi	1 year
Chairman, Board of Architectural and Historic Review – Gary Blake	1 year
Chairman, LWRP Committee - Bruce Adams	1 year
Co-Chairman LWRP - Richard Koopman	1 year

**RESOLUTION 2011 - 45~ MEETINGS OF THE BOARD OF TRUSTEES**

**BE IT RESOLVED:** That the regular meetings of the Board of Trustees will be held on the first and third Tuesday of each month at 6:00 p.m.

**RESOLUTION 2011 - 46~ DESIGNATION OF THE OFFICIAL NEWSPAPER**

**BE IT RESOLVED:** That pursuant to the Village Code, The Observer is hereby designated as the official newspaper of the Incorporated Village of Northport, pursuant to the terms, conditions and rates set forth.

**RESOLUTION 2011 - 47 ~ APPOINTMENT OF VILLAGE ENGINEER**

**BE IT RESOLVED:** That the firm of Gannett Fleming Engineers and Architects, P. C., is hereby authorized to provide professional engineering and related technical services to the Village of Northport during the current year, pursuant to the terms, conditions and rates set forth in a letter dated May 27<sup>th</sup>, 2008.

## **RESOLUTION 2011 - 48~ DESIGNATION OF DEPOSITORIES FOR FUNDS**

### **BE IT RESOLVED:**

1. The Chase/J.P. Morgan, Citibank, First National Bank of Long Island, and North Fork Bank, Bank of Smithtown, Flushing Bank, and MBIA - CLASS, New York State chartered banks, located and authorized to do business in Northport, New York, are hereby designated as a depositories of this Public Entity.

2 The Treasurer and Mayor of the Public Entity, or any one of them, is/are hereby authorized to open a bank account or accounts from time to time with the Chase Manhattan Bank, Citibank, First National Bank of Long Island, North Fork Bank, Bank Of Smithtown, Flushing Bank and MBIA - CLASS and their subsidiaries and affiliates (each being hereinafter referred to as "Bank") for and in the name of the Public Entity with such title or titles as he/she or they may designate.

3. Until the further order of the Governing Board, pursuant to paragraph 11 hereof, the requirement of a maximum amount which may be kept on deposit at bank at any time is not applicable.

4. The Treasurer, Village Clerk Donna M. Koch, Deputy Village Clerk Catherine Romanczyk, Deputy Treasurer, Mayor George Doll Jr. and Deputy Mayor Henry Tobin, of Public Entity, signing jointly on any and all checks issued by the Village, their successors and any other person authorized by statute, regulation or court order on behalf of Public Entity("Authorized Person(s)") is/are hereby authorized to sign, by hand or by facsimile (including, but not limited to, electronically generated) signatures(s), checks, drafts, acceptances and other instruments ( hereinafter collectively referred to as "Items(s)"). Notwithstanding the above, any Authorized Person is authorized singly to: (1) initiate Automated Clearing House ("ACH") debits without a signature; (2) initiate payments by use of Depository Transfer Checks ("DTC") without a signature provided that the name of the Public Entity is printed on the DTC; or (3) give instructions, by means other the signing of an item, with respect to any account transaction, including, but not limited to , the payment, transfer or withdrawal by wire, computer or other electronic means (now existing or hereafter developed), of funds, credits, items or property at any time held by bank for account of the Public Entity ("Instructions").

5. The Treasurer and Mayor of the Public Entity is/are hereby authorized without further action of this Governing Board to execute Banks form entitled Appointment of Designated Person(s) to Provide Call Back Verifications and Written Confirmations in Connection with Payment Orders", thereby designating one or more individuals, whether or not such individuals be designated as "Authorized Persons", for the purpose of the verification of payment orders and issuance of written confirmations.

6. Bank is hereby authorized to honor and pay items, whether signed by hand or by facsimile (including, but not limited to electronically generated) signature(s). In the case of facsimile signatures, Bank is authorized to pay any item if the signature, resembles the specimens filed with Bank by Public Entity, regardless of how or by whom such signature was affixed and whether or not the form of signature used on such Item was actually prepared by or for the Public Entity. Bank is further authorized to honor and pay DTC's, ACH's Instructions, and other orders given singly by any Authorized Person or employee individually, without limit as to amount.

7. Bank is hereby authorized to accept for deposits, for credit, for collection, or otherwise, Items whether or not endorsed by any person or by stamp or other impression in the name of the public Entity without inquiry as to the circumstances of the endorsement or lack of endorsement of the endorsement or the disposition of the proceeds.

8. Public Entity agrees to be bound by the "Terms and Conditions for Business Accounts and Services," currently in effect and as amended hereafter, as well as any signature card, deposit ticket, checkbook, passbook, statement of account, receipt, instrument, document or other agreement, such as, but not limited to, funds transfer agreements and security procedures delivered or made available to Public Entity from bank, and by all notices posted at the office of Bank at which the account of the Public entity is maintained, or on a website that the Bank maintains or participates in, in each case with the same effect as if each and every term thereof were set forth in full herein and made part hereof.

9. The Treasurer and Mayor of the Public Entity or any one or more of them is/are hereby authorized to act for the Public Entity in all matters and transactions relating to any of its business with the Bank including, but not limited to, the execution and delivery of any agreements or contacts necessary to effect the foregoing Resolution.

10. Each of the foregoing Resolutions and the authority thereby conferred shall remain in full force and effect until written notice of revocation or modification by presentation of new resolutions and Bank Signature Card Form shall be received by Bank; provided that such notice shall not be effective with respect to any revocation or modification of said authority until Bank shall have had a reasonable opportunity to act following receipt of such notice and shall not be effective with respect to any checks or other instruments for the payment of money or the withdrawal of funds dated on or prior to the date of such notice.

11. The Village Clerk or Treasurer of the Public Entity is hereby authorized and directed to certify, under the seal of the Public Entity or not, but with like effect in the latter case, to Bank the foregoing Resolutions, the names of the officers, Authorized Personal and other representatives of the Public Entity and any changes from time to time in the

said Officers, Authorized Persons and representatives and specimens of their respective signatures. Bank may conclusively assume that the persons at any time certified to it to be officers, Authorized Persons or other representatives of the Public Entity continue as such until receipt by Bank of written notice to the contrary.

12. The authority given hereunder shall be deemed retroactive and any and all acts hereunder performed prior to the passage of these Resolutions are hereby ratified and approved.

**RESOLUTION 201- 49 ~ INVESTMENT POLICY**

**BE IT RESOLVED:** That the Board of Trustees hereby adopts the existing Incorporated Village of Northport Investment Policy for the current fiscal year.

**RESOLUTION 2011- 50 ~ CHECK SIGNING POLICY**

**BE IT RESOLVED:** That the Board of Trustees hereby adopts the existing Incorporated Village of Northport I Check Signing Policy for the current fiscal year.

**RESOLUTION 2011- 51 ~ PURCHASING POLICY**

**BE IT RESOLVED:** That the Board of Trustees hereby adopts the existing Incorporated Village of Northport Check Signing Policy for the current fiscal year.

**RESOLUTION 2011- 52 ~ PURCHASING POLICY/CREDIT CARDS**

**BE IT RESOLVED:** That the Board of Trustees hereby adopts the existing Purchasing Policy/Credit Cards for the current fiscal year.

**RESOLUTION 2011- 53 ~ PURCHASING POLICY/TRAVEL AND CONFERENCES**

**BE IT RESOLVED:** That the Board of Trustees hereby adopts the existing Purchasing Policy/Travel & Conferences for the current fiscal year.

**RESOLUTION 2012- 54 ~ CELLULAR TELEPHONE POLICY**

**BE IT RESOLVED:** That the Board of Trustees hereby adopts the existing Cellular Telephone Policy for the current fiscal year.

**RESOLUTION 2012- 55 ~ FIXED ASSETS POLICY**

**BE IT RESOLVED:** That the Board of Trustees hereby adopts the existing Fixed Asset Policy for the current fiscal year.

**RESOLUTION 2012- 56 ~ DESIGNATION OF ANNUAL MEETING**

**BE IT RESOLVED:** That the Annual Meeting for the Board of Trustees of the Incorporated Village of Northport will be held April 2, 2013 in Village Hall, 224 Main Street,

Northport, NY beginning at 6:00 p.m.

**RESOLUTION 2012- 57 ~ NORTHPORT HISTORICAL SOCIETY**

**WHEREAS:** the Northport Historical Society has provided invaluable services in educating the public by maintaining, displaying and collecting historical records and artifacts, and

**WHEREAS:** many volunteers devote their time and effort for the preservation of our historical heritage, and

**WHEREAS:** there are significant expenses related to providing these invaluable services, and

**WHEREAS:** the Historical Society depends on donations and fund raisers for their operating expenses, and

**WHEREAS:** the Northport Village Board of Trustee's recognizes the time and effort of the Historical Society, therefore

**BE IT RESOLVED:** That the Village of Northport hereby appropriates the sum of \$2,000.00 Northport Historical Society to help in its continuing services.

**RESOLUTION 2012- 58 ~ NORTHPORT COMMUNITY BAND**

**WHEREAS:** for over the past 50 years the Northport Community Band has performed in the Northport Village Park gazebo, and

**WHEREAS:** many area residents have enjoyed the wonderful music and,

**WHEREAS:** the Village Board of Trustees wish's to continue to support this unique waterfront activity, therefore

**BE IT RESOLVED:** That the Village of Northport hereby appropriates the sum of \$2,700 to the Northport Community Band to help in its continuing services.

**RESOLUTION 2012- 59 ~ NORTHPORT AMERICAN LEGION POST 694**

**WHEREAS:** the Northport American Legion Post 694 has provided invaluable services to the Village of Northport, and

**WHEREAS:** there are significant expenses related to providing these invaluable services, and

**WHEREAS:** the Northport Village Board of Trustee's recognizes the time and effort of the American Legion post 694 , therefore

**BE IT RESOLVED:** That the Village of Northport hereby appropriates the sum of \$1000.00 to the Northport American Legion post 694 to help in its continuing services.

### **RESOLUTION 2012- 60 ~ NORTHPORT ARTS COALITION**

**WHEREAS:** the Northport Arts Coalition has provided an invaluable services to the Village of Northport, and

**WHEREAS:** there are significant expenses related to providing these invaluable services, and

**WHEREAS:** the Northport Village Board of Trustee's recognizes the time and effort of the Northport Arts Coalition , therefore

**BE IT RESOLVED:** That the Village of Northport hereby appropriates the sum of \$1000.00 to the Northport Arts Coalition to help in its continuing services.

### **RESOLUTION 2012- 61 ~ AUTHORIZING A FARMERS' MARKET IN THE VILLAGE OF NORTHPORT**

**WHEREAS:** a farmers' market will benefit the residents of Northport and other residents of Huntington by emphasizing fresh, locally grown produce and related products.

**WHEREAS:** a farmers' market will help support local farmers and producers by providing an additional market for their goods, and

**WHEREAS:** a farmers market will help support local businesses by attracting more visitors, and

**WHEREAS:** a farmers market will help further a sense of community by bringing residents together in a public place for a common purpose; and

**WHEREAS:** the Incorporated Village of Northport has entered into a lease agreement with the Town of Huntington, dated February 20, 1987, to lease five (5) parcels of property owned by the Town for a term of forty (40) years, and

**WHEREAS:** such lease agreement provides that Parcels III and IV are not permitted to be used for any commercial, business or industrial purpose; and

**WHEREAS:** the Incorporated Village of Northport has received the consent of the Town of Huntington authorizing a Farmers' Market in the Cow Harbor Park Parking Lot, bounded on the North by Main Street and on the East by Woodbine Avenue, also known as a portion of Parcel III, and further described in the lease dated February 20, 1987; and

**WHEREAS:** the farmers' market which was operated in the same location for four Saturday mornings in the Fall of 2007 and each Saturday from mid-May through

mid-November 2012 proved to be successful in accomplishing the goals stated above; and

**WHEREAS:** Northport Farmers Market, Inc., a not-for-profit corporation operated by interested residents and business people of the Village of Northport, has offered to operate the farmer's market and secure the necessary insurance,

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Mayor is hereby authorized to enter into an agreement with Northport Farmers' Market, Inc. to operate a farmers' market to be held no more frequently than one day per week, commencing no earlier than May 1, 2012 and ending no later than December 1, 2012, with all set-up, sales, and clean-up operations to start no earlier than 6:00 a.m. and to be completed by 1:30 p.m., on such terms and conditions as may be acceptable to the Village Attorney, and it is further

**RESOLVED**, that the farmers market shall emphasize fresh produce, seafood, and related products, that are as locally grown or harvested as possible, and it is

**RESOLVED** that pursuant to the agreement of the Town of Huntington, the farmers' market may be located in the Cow Harbor Park Parking Lot, also known as a portion of Parcel III, and further described in the lease dated February 20, 1987, and that the alternate location of the farmers' market shall be Municipal lot 3, also known as the Dorothy Walsh parking lot.

**RESOLUTION 2012 -62 TITAN MAINTENANCE AGREEMENT**

**BE IT RESOLVED:** The Mayor is hereby authorized to sign a maintenance agreement with Titan Global LLC approved in form and content by the Village Attorney, for the maintenance of the security cameras in Northport Village Park and Scudder Park in an amount not to exceed \$1000 for 10 hours of maintenance.

**RESOLUTION 2012- 63 ~ SCHEDULING A PUBLIC HEARING TO BE HELD ON APRIL 17, 2012 AT 6:00 PM AT VILLAGE HALL, 224 MAIN STREET, NORTHPORT, NEW YORK TO CONSIDER THE APPLICATION FOR RENEWAL BY CABLEVISION SYSTEMS HUNTINGTON CORPORATION ("CABLEVISION") 1111 STEWART AVENUE, BETHPAGE, NEW YORK 11714, OF ITS CABLE TELEVISION FRANCHISE WITH THE VILLAGE OF NORTHPORT. AT THIS HEARING, THE MEMBERS OF THE BOARD OF TRUSTEES WILL HEAR INTERESTED PERSONS WHO WISH TO ADDRESS THE BOARD WITH RESPECT TO CABLEVISION'S COMPLIANCE WITH THE REQUIREMENTS OF THE EXISTING CABLE TELEVISION FRANCHISE, AND THE COMMUNITY'S CABLE RELATED NEEDS AND INTERESTS FOR A NEW FRANCHISE AGREEMENT. ALL RELEVANT DOCUMENTS, INCLUDING COPIES OF THE RENEWAL APPLICATION AND THE PROPOSED FRANCHISE RENEWAL AGREEMENT MAY BE INSPECTED AT THE OFFICE OF THE VILLAGE CLERK, 224**

MAIN STREET, NORTHPORT, NEW YORK DURING REGULAR BUSINESS HOURS.

**REQUESTS:**

The next regular meeting of the Board of Trustees will be on April 17, 2012 at 6:00 p.m.

**A RESOLUTION FOR AN EXECUTIVE SESSION:** if necessary, for personnel and/or litigation matters.

Respectfully submitted,

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Donna M. Koch  
Village Clerk